

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of
Toll Free Service Access Codes

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CC Docket No. 95-155

REPLY COMMENTS OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

The National Telephone Cooperative Association ("NTCA") submits these Reply Comments in response to the comments filed in this proceeding on November 1, 1995, regarding proposals to ensure the fair and efficient use of toll free numbers and concerning the Implementation Plan for the next toll free code beyond 888.¹ NTCA is a national association of approximately 500 local exchange carriers ("LECs") providing telecommunications services to subscribers and interexchange carriers ("IXCs") throughout rural and small-town America.

In initial comments to the NPRM, NTCA urged the Commission not to neglect public policy objectives when examining each of the numbering issues and other toll free issues. NTCA asked that the Commission avoid pursuing policies which would transfer number resources only to the larger companies. In addition, NTCA specifically addressed the Commission's proposal to require that all network switches have the software needed to support all toll free codes reserved by the industry in January 1995 by February 1997.² NTCA maintained that this requirement is unnecessary and that the Commission should allow smaller LECs flexibility in assessing their own

¹ See Notice of Proposed Rulemaking, FCC 95-155, released by the Commission in this docket on October 5, 1995 ("NPRM"). Unless otherwise indicated, citations throughout these Reply Comments refer to the comments filed by the parties on November 1, 1995, in this proceeding.

² See NPRM at para. 29.

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network needs, seeking to provide toll free service in a manner which accounts for both needed services and costs. Further, NTCA asked the Commission to recognize that the practice of routing 888 calls through a tandem and 800 calls through an end office may also be a prudent solution for future toll free codes, at least for some initial period of time.

NTCA agrees with several commenters that for many LECs, tandems provide an essential function in providing toll free service, as many companies with electromechanical end offices can only route traffic to another switch for processing. The Commission should approach any restrictions on the use of tandems for toll free service with caution.³ OPASTCO's Comments stated that the Commission's proposal regarding various routing mechanisms for toll free service is unclear, and asked whether the Commission is proposing only to require that all calls be routed by the LEC in the same way or if the Commission is proposing to deny the use of access tandem switches to process toll free calls.⁴ While NTCA believes that the former requirement (same routing) is the apparent Commission concern, NTCA agrees that any strict rule requiring all LECs to upgrade their software and reconfigure their networks to handle all future toll free service via an end office would be unreasonable and far too burdensome for many small companies.⁵

NTCA does not agree with Paging Network's notion that there exists a "lack of adequate incentives for the software and other system upgrades required to make the available number

³ See, for example, Comments of USTA at 10; OPASTCO at 3 and 4; Pacific Bell and Nevada Bell at 8; GTE at 5; and Nynex at 6 and 7.

⁴ See OPASTCO at 3.

⁵ SNET agrees with this viewpoint: "... requiring LECs to deploy the technology to process ... toll free codes in every end office switch by February, 1997 ... is unreasonable and unfairly burdens LECs to replace infrastructure prematurely." SNET at 3.

resources usable in a timely fashion.”⁶ Rather, LECs including NTCA’s members have consistently shown a willingness to research various options and either upgrade their switching equipment or find alternative routing in order to provide all necessary toll free services to subscribers and interconnecting carriers.

In addition to addressing the software and network requirements, OPASTCO also questions the manner in which call set-up time requirements will be applied to small and rural LECs.⁷ NTCA agrees that a more rigid call set-up time requirement for independent telephone companies than adopted in the Commission’s previous CC Docket 86-10 Reconsideration Order would be inappropriate.⁸ Several LECs continue to utilize optional network configuration alternatives previously endorsed by the Commission in providing toll free service, and thus some of these companies are unable to meet certain set-up time requirements utilized by other industry providers.

Several commenters responded to the Commission’s proposal regarding a specific time allotment, “trigger date” or trigger point needed by the industry to prepare for the implementation of a new toll free code.⁹ NTCA concurs with many that a six months’ notice provides an insufficient amount of time for small LECs to prepare for the next toll free code after 888. NTCA suggests that 12 to 18 months is a more reasonable time period for financial preparation as well as

⁶ See Paging Networks, Inc. at 4.

⁷ See OPASTCO at 7.

⁸ “... [W]e have made it clear that small ITCs may provide data base access in a variety of ways, and that we seek to afford these IXC’s maximum flexibility in planning their participation in a manner that best serves their needs and financial capabilities. To apply the five-second standard to these ITCs would be inconsistent with this commitment.” 8 FCC Rcd 1038, 1040.


⁹ See NPRM at paras. 27 and 28.


the actual deployment of needed network additions and/or modifications.¹⁰

NTCA supports the Commission's ultimate goals in this proceeding, i.e., a smooth transition to an expanded set of toll free service access codes to ensure that toll free numbers are available to subscribers who need and want them. However, it believes that a mandate prohibiting the use of tandems and requiring installation of specific software upgrades by February 1997 is not a cost justifiable option for accomplishing this goal, nor is it necessary. Experience has shown LECs encounter sufficient motivation to make toll free service available to their subscribers and interconnecting carriers. Furthermore, NTCA joins others in requesting that the Commission choose a more adequate trigger date for the implementation of future toll free codes, such as a twelve to eighteen months' notice. Above all, the Commission should continue to offer small and rural LECs flexibility as they seek to provide toll free service in a manner which properly balances relative cost efficiency, equal service provision and quality of service.

Respectfully submitted,

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¹⁰ Many commenters agree that a six months' notice is not adequate for the implementation of new toll free codes. See OPASTCO at 9, USTA at 13 (18); GTE at 4; Nynex at 6; and BellSouth at 11. Others question the appropriateness of setting any such a time limitation on the implementation of additional codes at all. See SWBT at 14; US West at 13; and Ameritech at 22.

CERTIFICATE OF SERVICE

I, Gail C. Malloy, certify that a copy of the foregoing
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